

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1311 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE N.J.PANDYA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

MAHENDRA AGRAWAL

Versus

HARSH ASHWINBHAI SHAH

Appearance:

MR UI VYAS for Petitioners
MR PR ABICHANDANI for Respondent No. 1
MR ST MEHTA ASST. PUBLIC PROSECUTOR
for Respondent No. 2

CORAM : MR.JUSTICE N.J.PANDYA

Date of decision: 21/08/97

ORAL JUDGEMENT

Rule. Mr. Abichandani for respondent no.1 and Mr.Mehta APP for respondent no.2 waive service of Rule. It is obvious that the transaction relates to shares which were deposited by way security. The allegation that are not genuine is not borne out. Certificate

issued by the concerned Company is produced by the learned advocate Mr.Vyas appearing for the petitioners. It is taken on record.

2. Under the circumstances, it is obvious that the complaint filed in the court of Metropolitan Magistrate Court No.18, Ahmedabad city, being Criminal Case No. 184 of 1997 cannot be sustained. Hence it is quashed and the order of process dt. 24/1/1997 is set aside.

Rule is made absolute accordingly.

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